

STATE • INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

FILED

DEC 13 2004

**COMPLAINT OF INDIANA BELL
TELEPHONE COMPANY,
INCORPORATED D/B/A SBC INDIANA
FOR EXPEDITED REVIEW OF A DISPUTE
WITH CERTAIN CLECS REGARDING
ADOPTION OF AN AMENDMENT TO
COMMISSION APPROVED
INTERCONNECTION AGREEMENTS**

INDIANA UTILITY
REGULATORY COMMISSION
CAUSE NO. 42749

You are hereby notified that on this date the Presiding Officers in this Cause make the following Entry:

On December 10, 2004, Access One, Inc., Acme Communications, Inc., BullsEye Telecom, Inc., Cinergy Communications Company f/k/a Community Telephone Corporation, CityNet Indiana, LLC, CloseCall America, Inc., DSLnet Communications, LLC, eGIX Network Systems, Inc., FBN Indiana, Inc., Fiber Technologies Networks, L.L.C., First Communications, LLC, ICG Telecom Group, Inc., IDT America, Corp., Kentucky Data Link, Inc., KMC Data, LLC, KMC Telecom III, LLC, KMC Telecom V, Inc., MCI WorldCom Communications, Inc., MCImetro Access Transmission Services, LLC, Intermedia Communications, Inc., McLeodUSA Telecommunications Services, Inc., Midwest Telecom of America, Inc., New Edge Network, Inc., Nuvox Communications of Indiana, Inc., PNG Telecommunications, Inc., Sigecom, LLC, Talk America, Inc., Time Warner Telecom of Indiana, L.P., XO Indiana, Inc., and Z-Tel Communications, Inc. (collectively, "Joint CLECs") filed with the Indiana Utility Regulatory Commission ("Commission") their *Motion of Certain Joint CLECs for Continuance of Prehearing Conference* ("Motion").

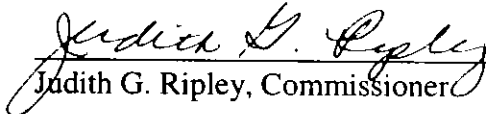
The Motion seeks to continue the Prehearing Conference currently scheduled in this Cause for December 21, 2004, to a date approximately thirty (30) days beyond December 21, 2004. In support of the Motion the Joint CLECs state that, due to an extended response/reply schedule with respect to certain CLEC motions to dismiss the complaint that initiated this Cause, CLEC replies are not due until December 22 or 28, 2004, and it would be an unwarranted consumption of resources to participate in a Prehearing Conference while the motions to dismiss are pending. The Motion states that many Joint CLEC counsel have preexisting holiday travel plans that conflict with the date established for the Prehearing Conference. The Motion also refers to the anticipated federal unbundling rules, noting that it would be unlikely that those permanent rules would be available for review before December 21, 2004.

The Motion asserts that the complainant in this Cause, Indiana Bell Telephone Company, Incorporated ("SBC Indiana") has authorized the Joint CELCs to represent that, while SBC Indiana does not agree with all of the reasons raised by the Joint CLECs in support of their request for a continuance, SBC Indiana does not object to the requested continuance.

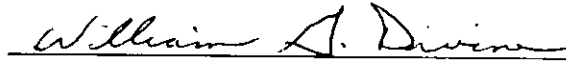
In ruling on the Motion we give particular consideration to the fact that there are preexisting commitments that conflict with the currently scheduled Prehearing Conference, and that the complainant has no objection to the requested continuance.

The Motion is granted. The Prehearing Conference in this Cause, currently scheduled for December 21, 2004, is continued to January 24, 2005, at 9:30 a.m. EST, in Room TC-10 of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana.

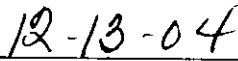
IT IS SO ORDERED.



Judith G. Ripley, Commissioner



William G. Divine, Administrative Law Judge



Date